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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

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6 DITECH FINANCIAL LLC; FEDERAL
7 NATIONAL MORTGAGE
8 ASSOCIATION,

9 Plaintiffs,

10 v.

11 KK REAL ESTATE INVESTMENT FUND,
12 LLC,

13 Defendant.

Case No. 2:17-cv-00821-APG-DJA

ORDER

14 This matter is before the Court on Defense Counsel Luis A. Ayon's Motion to Withdraw
15 (ECF No. 19), filed on September 10, 2019. Pursuant to Local Rule ("LR") IA 11-6, "[n]o
16 attorney may withdraw after appearing in a case except by leave of Court after notice has been
17 served on the affected client and opposing counsel." See LR IA 11-6(b). Having reviewed the
18 motion, the Court finds that requirements of LR IA 11-6(b) have been met. Mr. Ayon indicates
19 Defendant has failed to meet its financial obligations to his firm necessitating his withdrawal.
20 The Court will require that Defendant KK Real Estate Investment Fund advise the Court if it will
21 retain new counsel by October 23, 2019 as it must retain new counsel if it intends to continue to
22 litigate this matter. See *United States v. High Country Broad.*, 3 F.3d 1244, 1245 (9th Cir. 1993)
23 (per curiam); *In re Am. W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994) (stating that
24 "[c]orporations and other unincorporated associations must appear in court through an attorney.").
25 Filing a notice of new counsel on or before October 23, 2019 is sufficient to comply with the
26 Court's order. Failure to respond may result in a recommendation to the United States District
27 Judge assigned to this case that dispositive sanctions be issued against Defendant KK Real Estate
28 Investment Fund, LLC, including dismissal of this action.

1 IT IS HEREBY ORDERED that Defense Counsel Luis A. Ayon's Motion to
2 Withdraw (ECF No. 19) is granted.

3 IT IS FURTHER ORDERED that Defendant KK Real Estate Investment Fund,
4 LLC shall have until October 23, 2019 to advise the Court if it will retain new counsel. Failure to
5 notify the Court as to their new representation may subject it to dispositive sanctions, including a
6 recommendation for dismissal of this action.

7 IT IS FURTHER ORDERED that the Clerk of the Court shall add the last known
8 addresses of Defendant to the civil docket and send a copy of this Order to Defendant's last
9 known address:

10 KK Real Estate Investment Fund, LLC

11 c/o Leo Chan

12 2625 S. Rainbow Blvd., C106

13 Las Vegas, NV 89146

14 702-301-3395

15 titanvegas@gmail.com

16 DATED: September 23, 2019



17 DANIEL J. ALBREGTS
18 UNITED STATES MAGISTRATE JUDGE
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